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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,380	12/12/2003	Koki Okamura	FJ-2003-046-US	8530

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EXAMINER	
PANNALA, SATHYANARAYA R	
ART UNIT	PAPER NUMBER
2164	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/733,380	Applicant(s) OKAMURA, KOKI	
	Examiner Sathyanarayan Pannala	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/12/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Application No. 10/733380 filed on 12/12/2003 has been examined. In this Office Action, claims 1-4 are pending.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The examiner has considered the certified copy of the Application Japan 2002-361998 dated 12/13/2002 for priority claiming.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 12/13/2003 is in compliance with the provisions of 37 CFR 1.97 and have been considered by the examiner.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. § 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 1-4 are rejected under 35 U.S.C. § 101, because claims are directed to program per se. Independent claims 1 and 4 are claiming a computer program per se and functional descriptive material consisting of data structures and computer programs, which impart functionality when employed as a computer component. As such, the claims are not limited to statutory subject matter and are therefore non-statutory.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Allam et al. (USPA Pub. 2004/0139400 A1) hereinafter Allam.

8. As per independent claim 4, Allam teaches a system and method for displaying and viewing electronic information (page 2, paragraph [0034]). Allam teaches the claimed, a function, when an audio file stored in a first folder is selected to be stored into a second folder, to attach a filename to the selected file and store the selected file into the second folder as the computer world where files are stored in electronic file

folders and either moved or copied between them (page 10, paragraph [0098]). Allam teaches the claimed, Allam teaches the claimed, a function to display an icon image on a display device, the icon image indicating that the file is audio, for the selected file and an audio file stored in the second folder (Fig. 7, page 4, paragraph [0052]). Allam teaches the claimed "a function to play back the audio upon operation to the icon image" (Fig. 7, page 4, paragraph [0052]).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allam et al. (USPA Pub. 2004/0139400 A1) hereinafter Allam, and in view of Pruett et al. (US Patent 5,778,389) hereinafter Pruett.

11. As per independent claim 1, Allam teaches a system and method for displaying and viewing electronic information (page 2, paragraph [0034]). Allam teaches the

claimed, a function, when a file stored in a first folder is selected to be stored into a second folder, to compare a filename of the selected file with a filename of each file already stored in the second folder, as the computer world where files are stored in electronic file folders and either moved or copied between them (page 10, paragraph [0098]). Allam does not explicitly teach checking whether the same name exists on the second folder. However, Pruett teaches the claimed, a function, if the second folder contains no file having a filename same as the selected file, to store the selected file into the second folder (Fig. 2B, col. 6, lines 42-44). Pruett teaches the claimed, a function, if the second folder contains a file having a filename same as the selected file (Fig. 2B, col. 6, lines 44-48). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Pruett's teachings would have allowed Allam's method to provide an automatic synchronization of directories in order to eliminate inefficient and time-consuming method by using standard operating system commands (col. 1, lines 56-58). Finally, Allam teaches the claimed, to display thumbnail images and file information of the selected file and the file having the same filename together on a display device (Fig. 3, page 4, paragraph [0047]).

12. As per dependent claim 2, Allam teaches the claimed, a function, if at least one of the selected file and the file having the same filename is a movie file, to display a first frame of the movie as the thumbnail image thereof on the display device, and to play

back the movie upon operation to the thumbnail image (Fig. 7, page 4, paragraph [0052]).


13. As per dependent claim 3, Allan teaches the claimed, a function, if at least one of the selected file and the file having the same filename is an audio file, to display an icon image as the thumbnail image thereof on the display device, the icon image indicating that the file is audio, and to play back the audio upon operation to the icon image (Fig. 7, page 4, paragraph [0052]).

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Sathyanarayan Pannala
Examiner
Art Unit 2164

srp
May 26, 2006